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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GILBERT, Roland

Group Art Unit: 2683

Serial No. 09/847,554

Examiner: TORRES, Marcos L.

Filed: 5/2/2001

Dkt No: BAE13-US

For: METHOD AND APPARATUS FOR USING RF-ACTIVATED MEMS SWITCHING  
ELEMENTTo: Mail Stop Non-Fee Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

24222

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I hereby certify that this paper is being transmitted by facsimile to the  
Commissioner for Patents and Trademarks to the attention of Examiner Marcos L. Torres at facsimile # 703-878-9314  
~~6354~~ and telephone # 703-305-1478 on the date shown below.

Date:

02/03/2004

[✓] Debra A. Stengel or [ ] Neil F. Maloney Reg #42,833

Commissioner:

RESUBMISSION OF RESPONSE TO NON-FINAL OFFICE ACTION  
Filed December 18, 2003

Pursuant to a telephone conversation on February 3, 2004 between Examiner Marcos Torres, USPTO, and Debra Stengel, of Maine & Asmus, Applicant respectfully resubmits Response to Non-Final Office Action, originally timely filed on December 18, 2003 via facsimile. According to Examiner Torres the original Response to Non-Final Office Action has not been entered into the USPTO's electronic system and has not been matched to the case file. Therefore, he suggested this resubmission.

Applicant respectfully herein submits:

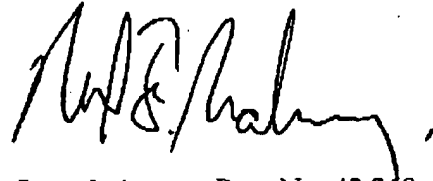
- 1) 12 pages Response to Non-Final Office Action, submitted December 18, 2003; and
- 2) 1 page Auto-Reply Facsimile Transmission, dated 12/18/2003, showing 12 pages fax received at USPTO;

S/N 09/847,554, Atty Dkt No BAE13-US

1

[X] DEPOSIT ACCOUNT 500323 AUTHORIZATION - All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the submittal to deposit account 500323, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus, contact telephone no. 603-886-6100.

Respectfully submitted,



Scott J. Asmus, Reg. No. 42,269  
Neil F. Maloney, Reg. No. 42,833  
Andrew P. Cernota, Reg. No. 52,711  
Attorneys/Agents for Applicant

Cus. No. 24222  
Maine & Asmus  
PO Box 3445  
Nashua, NH 03061-3445  
Tel. No. (603) 886-6100, Fax. No. (603) 886-4796  
Info@maineandasmus.com

TO: Auto-reply fax to 603886 4796 COMPANY:

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 603886 4796

Fax Information

Date Received:

12/18/2003 12:18:03 PM [Eastern Standard Time]

Total Pages:

12 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

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SENT BY: MAINE & ASMUS;		603886 4796;		DEC-18-03 12:28PM;		PAGE 1	
Appl. No. 09/847,554 Amended December 18, 2003 Reply to Office Action of September 23, 2003							
<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>							
In re Application of: GILBERT, Roland				Group Art Unit: 2683			
Serial No. 09/847,554				Examiner: TORRES, Marcos L.			
Filed: 5/2/2001				Dist No: BAEIJ-US			
For: METHOD AND APPARATUS FOR USING RE-ACTIVATED MEMS SWITCHING ELEMENT							
To: Mail Stop Non-Fee Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450				From: <div style="border: 1px solid black; padding: 5px; display: inline-block;">24222</div>			
CERTIFICATE OF FACSIMILE 37 CFR 1.8: I hereby certify that this paper is being transmitted by facsimile to the Commissioner for Patents and Trademarks to the attention of Examiner MARCOS L. TORRES at facsimile # 202-817-9206 and telephone # 202-321-1428, on the date shown below.							
Date: 12/18/2003				Signature: <u>[Signature]</u> William A. Seargeant or [Signature] Assistant Deputy Commissioner			
Commissioner.							
<b>AMENDMENT A</b>							
In response to the Office Action, dated 09/23/2003, the Applicant has timely enclosed herein: <u>12</u> pages of amendments and remarks.							
Amendments to the Specification are reflected in the corresponding section, which begins on page <u>2</u> of this paper.							
Amendments to the Claims are reflected in the corresponding section, which begins on page <u>3</u> of this paper, and include a complete claim listing (less the cancelled claims).							
Remarks begin on page <u>7</u> of this paper.							
DEPOSIT ACCOUNT 190139 AUTHORIZATION - The Office is hereby authorized to charge the required fee, and any deficiency or credit any overpayment in the fees to the above deposit account, owned by BAE SYSTEMS Information and Electronic Systems Integration Inc. an authorized signator for which is Kevin M. Perkins V.P. & Company Counsel, and for whom the undersigned are authorized agents.							
1 of 17							
PAGE 112 * RCVD AT 12/18/2003 12:18:03 PM [Eastern Standard Time] * SVR:USPTO-EF796-10 * DNS:1729314 * CSID:603886 4796 * DURATION (mm:ss):04:36							

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Appl. No. 09/847,554

Amdt. Dated December 18, 2003

Reply to Office Action of September 25, 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GILBERT, Roland

Group Art Unit: 2683

Serial No. 09/847,554

Examiner: TORRES, Marcos L.

Filed: 5/2/2001

Dkt No: BAE13-US

For: METHOD AND APPARATUS FOR USING RF-ACTIVATED MEMS SWITCHING ELEMENT

To: Mail Stop Non-Fee Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

From:

24222

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I hereby certify that this paper is being transmitted by facsimile to the Commissioner for Patents and Trademarks to the attention of Examiner Marcos L. Torres at facsimile # 703-872-9306 and telephone # 703-305-1478 on the date shown below.

Date: 12/18/2003

Debra A. Stengel or Neil F. Maloney Reg. #42,833

Commissioner:

## AMENDMENT A

In response to the Office Action dated 09/25/2003, the Applicant has timely enclosed herein: 12 pages of amendments and remarks.

Amendments to the Specification are reflected in the corresponding section, which begins on page 2 of this paper.

Amendments to the Claims are reflected in the corresponding section, which begins on page 3 of this paper, and include a complete claim listing (less the cancelled claims).

Remarks begin on page 7 of this paper.

DEPOSIT ACCOUNT 190130 AUTHORIZATION - The Office is hereby authorized to charge the required fee, and any deficiency or credit any overpayment in the fees to the above deposit account, owned by BAE SYSTEMS Information and Electronic Systems Integration Inc. an authorized signator for which is Kevin M. Perkins, V.P. & Company Counsel, and for whom the undersigned are authorized agents.